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Rules, Regulations, Orders

TITLE 7—AGRICULTURE

BUREAU OF ENTOMOLOGY AND PLANT QUARANTINE

[B. E. P. Q.-486]

SEC. 301.72-5B—ADMINISTRATIVE INSTRUCTIONS

MODIFYING THE RESTRICTIONS OF THE WHITE-FRINGED BEETLE QUARANTINE BY AUTHORIZING TREATMENT OF PLANTS IN POTS OR IN SOIL-BALLS NOT EXCEEDING THREE (3) INCHES IN DIAMETER

JANUARY 28, 1939.

Recent experimental work by the Bureau of Entomology and Plant Quarantine of the U. S. Department of Agriculture has proven that certain potted plants, hereinafter listed, can safely and successfully be fumigated for the control of white-fringed beetle.

Treatment Authorized

Under provisions contained in Regulation 5 (a) (Sec. 301.72-5) supplemental to Notice of Quarantine No. 72¹ (Sec. 301.72), the Chief of the Bureau of Entomology and Plant Quarantine authorizes as a prerequisite to certification, the following method of treatment, for certain kinds and sizes of potted and balled and burlapped plants, when done under the supervision of an authorized inspector of the U. S. Department of Agriculture.

Fumigation Treatment Method

(1) Fumigation must be done with methyl bromide at a dosage of one pound per 1,000 cubic feet, including the space occupied by the plants, for a period of 4 hours, the soil in which the pots are planted and the air in the fumigation chamber to be at a temperature of not less than 85° F.

(2) Such fumigation shall apply only to plants in 3-inch pots or smaller, or in soil-balls not larger than those which would be contained in 3-inch pots, and the plants shall be stacked on racks so

that the gas mixture can have access to all sides of the pots or soil-ball.

(3) The fumigation shall be done in a tight chamber with gas-tight doors.

(4) After the chamber is loaded and closed, the appropriate amount of methyl bromide shall be volatilized therein and the air-gas mixture shall be circulated by means of a fan or blower throughout the entire 4-hour fumigation period.

Suggestions

(1) A fumigation chamber, lined with sheet metal throughout and with a metal-covered door closing against gaskets and held tightly in place by refrigerator door fasteners, is recommended.

(2) A list of plants, which have been fumigated experimentally with methyl bromide according to the recommendations here given and are classified as to their ability to withstand such treatment as indicated by these experiments, is attached.

Disclaimer

In authorizing the movement of potted plants or nursery stock fumigated according to the requirements stated above, it is understood that no liability shall attach either to the U. S. Department of Agriculture or to any of its employees in the event of injury resulting from the use of the fumigant.

Caution

Methyl bromide is a gas at ordinary temperatures. It is colorless and practically odorless in concentrations used for fumigation of plants. It is a poison, and the operator should use an approved gas mask when exposed to the gas at concentrations used in fumigation. The plants in the fumigation chamber should be well aerated by blowing air through them and the room adequately ventilated before it is entered. (Sec. 301.72-5) [B. E. P. Q.-486, Jan. 28, 1939]

[SEAL]

LEE A. STRONG,
Chief.

The following plants, known to the trade by the following names, have been fumigated in up to 3-inch pots with methyl bromide at the rate of one pound

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¹ 3 F. R. 3004 DI.



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per 1,000 cubic feet for 4 hours at 85° F. with the results indicated:

No injury to the following:

Areca lutescens
Aspidistra lurida
 Boston fern
 Cape-jasmine (Gardenia)
 Christmas cactus
Codiaeum, corkscrew croton
Codiaeum, croton Robt. Craig
Codiaeum, croton punctatum
Cressulus arborens
Dracaena, massange
Ficus elastica (variegated)
Ficus elastica (green)
Ficus nitida
 Habrus and Hahns ivy
Latania barbonica
 Nephthedes
 Norwood fern

Pandanus veitchi. Plants which have pure white leaves not to be fumigated
Pedilanthus
Peperomia (green)
Peperomia (variegated)
Philodendron cordatum
Phoenix roebelinii
Sansevieria

Injury not severe—confined to shedding some of lower, older leaves, to the following:

Dracaena, M. Story
Dieffenbachia
Bicus pandurata
Hibiscus (red)
Poinsettia

Injury very severe to the following—fumigation not recommended:

Allamanda johnsoni
Chrysanthemum
Dracaena warneckii
Pothos wilcoxii

[F. R. Doc. 39-410; Filed, February 3, 1939; 12:46 p. m.]

[B. E. P. Q.-488]

SEC. 301.72b—ADMINISTRATIVE INSTRUCTIONS

MODIFYING THE RESTRICTIONS OF THE WHITE-FRINGED BEETLE QUARANTINE BY REMOVING UNDER SPECIFIED CONDITIONS, THE CERTIFICATION REQUIREMENTS FOR INTERSTATE MOVEMENT, FOR ALL RESTRICTED ARTICLES ORIGINATING IN FOREIGN COUNTRIES

JANUARY 27, 1939.

Under authorization to the Chief of the Bureau of Entomology and Plant Quarantine provided in the second proviso of Notice of Quarantine No. 72¹ (Sec. 301.72), I find that, when the following requirements are met, regulations 4, 5, and 6 (Secs. 301.72-4 to 301.72-6) under this quarantine, may be safely modified to waive all certification requirements for all regulated areas until further notice, for the interstate movement of all restricted articles imported from foreign countries and moving through a regulated area, when re-shipped in the unopened, original container and when each container is clearly marked to indicate the country of origin, and when the articles are protected, while in the regulated areas, in a manner satisfactory to an authorized inspector of the United States Department of Agriculture. Such modification is hereby authorized. (Sec. 301.72)

[B. E. P. Q.-488, Jan. 27, 1939]

[SEAL] LEE A. STRONG,
 Chief.

[F. R. Doc. 39-411; Filed, February 3, 1939; 12:46 p. m.]

¹ 3 F. R. 3004 DI.

[B. E. P. Q.-489]

SEC. 301.72-5a—ADMINISTRATIVE INSTRUCTIONS

MODIFYING WHITE-FRINGED BEETLE QUARANTINE REGULATIONS AUTHORIZING TREATMENT OF POTTING SOIL

JANUARY 28, 1939.

Recent experimental work by the Bureau of Entomology and Plant Quarantine of the United States Department of Agriculture has proved that potting soil can be successfully treated by the following methods for the control of the white-fringed beetle.

Treatment Authorized

Under provisions contained in Regulation 5 (a) (Sec. 301.72-5) supplemental to Notice of Quarantine No. 72¹ (Sec. 301.72), the Chief of the Bureau of Entomology and Plant Quarantine authorizes, as a prerequisite to certification, either of the following methods of treatment for "potting soil" when done under the supervision of an authorized inspector of the United States Department of Agriculture.

Fumigation Treatment Method

(1) Potting soil must be treated in a container with methyl bromide in a dosage of 40 cubic centimeters of methyl bromide per cubic yard of soil for a period of 48 hours.

(2) The sides, bottom, and seams of the container shall be tight, preferably lined with sheet metal, and shall have a cover or be covered with a tarpaulin immediately after the fumigant is applied.

(3) The condition of the soil and the apparatus used and the method of application of the fumigant must meet the approval of an authorized inspector of the United States Department of Agriculture.

Heat Treatment Method

(1) Live steam, under pressure of 80 pounds or more per square inch, shall be applied through a grid of perforated pipes at the bottom of the sterilizing box or truck body containing the soil, for a period of 45 minutes or until all parts of the load reach a temperature of 200° F.

(2) The grids shall be constructed of 1-inch pipes, perforated with holes $\frac{1}{4}$ inch in diameter on the upper side and connecting at one end to a manifold into which the steam is introduced.

(3) The layer of soil in the sterilizing box shall not be more than 2 feet, 6 inches deep.

Disclaimer

In authorizing the movement of potting soil treated according to the requirements stated above, it is understood that no liability shall attach either to the United States Department of Agriculture or to any of its employees in the

¹ 3 F. R. 3004 DI.

event of injury resulting from the use of these treatments.

Caution

Methyl bromide is a gas at ordinary temperatures. It is colorless and practically odorless in concentrations used for fumigation of plants. It is a poison, and the operator should use an approved gas mask when exposed to the gas at concentrations used in fumigation.

After fumigation of potting soil by the above method, the cover should be removed and the soil allowed to aerate. (Sec. 301.72-5) [B. E. P. Q.-489, Jan. 28, 1939]

[SEAL]

LEE A. STRONG,
Chief.

[F. R. Doc. 39-412; Filed, February 3, 1939;
12:46 p. m.]

TITLE 25—INDIANS

INDIAN ARTS AND CRAFTS BOARD

REGULATIONS FOR USE OF GOVERNMENT MARKS OF GENUINENESS FOR ALASKAN INDIAN HAND-MADE PRODUCTS

The following regulations governing the use of Government trade-marks of genuineness for Indian products are promulgated pursuant to sections 2 and 3 of the act of August 27, 1935 (49 Stat., 891; U. S. C., Title 25, secs. 305a, 305b).

The use of Government trade-marks in an unauthorized manner, or the colorable imitation of such marks, is subject to the criminal penalties imposed by section 5 of the said act, which provides:

Any person who shall counterfeit or colorably imitate any Government trade-mark used or devised by the Board as provided in section 305a of this chapter, or shall, except as authorized by the Board, affix any such Government trade-mark, or shall knowingly, willfully, and corruptly affix any reproduction, counterfeit, copy, or colorable imitation thereof upon any products, Indian or otherwise, or to any labels, signs, prints, packages, wrappers, or receptacles intended to be used upon or in connection with the sale of such products, or any person who shall knowingly make any false statement for the purpose of obtaining the use of any such Government trade-mark, shall be guilty of a misdemeanor, and upon conviction thereof shall be enjoined from further carrying on the act or acts complained of and shall be subject to a fine not exceeding \$2,000 or imprisonment not exceeding six months, or both such fine and imprisonment. (U. S. Code, Title 25, sec. 305d.)

1. Government marks of genuineness for Alaskan Indian hand-made products may be affixed to articles meeting the conditions specified in section 2 of these regulations by persons duly authorized by the Indian Arts and Crafts Board to affix such marks.

2. No articles may carry the Government mark of genuineness for Alaskan Indian hand-made products unless all of the following conditions are met:

(a) The article is hand-made by an Alaskan Indian.

(b) The article is hand-made under conditions not resembling a workshop or factory system.

(c) All raw materials used in carving, basketry and mat making, and all furs and hides used in the manufacture of hand-made artifacts, must be of native origin.

3. All marks shall be applied to the article with a rubber stamp to be furnished by the Indian Arts and Crafts Board. Each stamp shall bear a distinctive letter and may be used only by the person to whom it has been issued. With the addition of the distinctive letter, each stamp shall read:

()
HAND-MADE
ALASKAN INDIAN
U S
INDIAN ARTS & CRAFTS BOARD
I D

or, in the case of articles too small to carry this stamp:

()
U S I D
ALASKAN INDIAN

On baskets and fabrics which offer no surface for the application of such a rubber stamp, the stamp shall be placed on a paper tag attached to the article by a wire caught in a lead seal disc that shall be impressed and made fast with a hand seal press furnished by the Indian Arts and Crafts Board.

Promulgated by the Indian Arts and Crafts Board on December 23, 1938.

JOHN COLLIER,
Chairman.

Approved January 23, 1939.

HARRY SLATTERY,
Acting Secretary of the Interior.

[F. R. Doc. 39-401; Filed, February 3, 1939;
10:37 a. m.]

REGULATIONS FOR USE OF GOVERNMENT MARKS OF GENUINENESS FOR ALASKAN ESKIMO HAND-MADE PRODUCTS

The following regulations governing the use of Government trade-marks of genuineness for Eskimo products are promulgated pursuant to sections 2 and 3 of the act of August 27, 1935 (49 Stat., 891; U. S. C., Title 25, secs. 305a, 305b).

The use of Government trade-marks in an unauthorized manner, or the colorable imitation of such marks, is subject to the criminal penalties imposed by section 5 of the said act, which provides:

Any person who shall counterfeit or colorably imitate any Government trade-mark used or devised by the Board as provided in section 305a of this chapter, or shall, except as authorized by the Board, affix any such Government trade-mark, or shall knowingly, willfully, and corruptly affix any reproduction, counterfeit, copy, or colorable imitation thereof upon any products, Indian or otherwise, or to any labels, signs, prints, packages, wrappers, or receptacles intended to be used upon or in connection with the sale of such products, or any person who shall knowingly make any false statement for the purpose of obtaining the use of any such Government trade-mark, shall be guilty of a misdemeanor, and upon conviction

thereof shall be enjoined from further carrying on the act or acts complained of and shall be subject to a fine not exceeding \$2,000 or imprisonment not exceeding six months, or both such fine and imprisonment. (U. S. Code, Title 25, sec. 305d.)

1. Government marks of genuineness for Alaskan Eskimo hand-made products may be affixed to articles meeting the conditions specified in section 2 of these regulations by persons duly authorized by the Indian Arts and Crafts Board to affix such marks.

2. No article may carry the Government mark of genuineness for Alaskan Eskimo hand-made products unless all of the following conditions are met:

(a) The article is hand-made by an Alaskan Eskimo.

(b) The article is hand-made under conditions not resembling a workshop or factory system.

(c) All raw materials used in the making of the articles are of native origin except:

- (1) Commercial fasteners.
- (2) Calfskin trimmings for decorative borders on parkas and mukluks.
- (3) Tops for mukluks made of commercial fabric.
- (4) Commercially made draw-cords for mukluks.
- (5) Commercial fabrics for parka linings.
- (6) Sewing thread and glass beads.

3. All marks shall be applied to the article with a rubber stamp to be furnished by the Indian Arts and Crafts Board. Each stamp shall bear a distinctive letter and may be used only by the person to whom it has been issued. With the addition of the distinctive letter, each stamp shall read:

()
HAND-MADE
ALASKAN ESKIMO
U S
INDIAN ARTS & CRAFTS BOARD
I D

or, in the case of articles too small to carry this stamp:

()
U S I D
ALASKAN ESKIMO

On baskets and fabrics which offer no surface for the application of such a rubber stamp, the stamp shall be placed on a paper tag attached to the article by a wire caught in a lead seal disc that shall be impressed and made fast with a hand seal press furnished by the Indian Arts and Crafts Board.

Promulgated by the Indian Arts and Crafts Board on December 23, 1938.

JOHN COLLIER,
Chairman.

Approved, January 23, 1939.

HARRY SLATTERY,
Acting Secretary of the Interior.

[F. R. Doc. 39-402; Filed, February 3, 1939;
10:37 a. m.]

TITLE 43—PUBLIC LANDS

BUREAU OF RECLAMATION

KINGS RIVER PROJECT, CALIFORNIA

FIRST FORM RECLAMATION WITHDRAWAL

NOVEMBER 8, 1938.

THE SECRETARY OF THE INTERIOR.

SIR: It is recommended that the following described lands be withdrawn from public entry under the first form of withdrawal, as provided in Section 3, Act of June 17, 1902 (32 Stat. 388).

KINGS RIVER PROJECT, CALIFORNIA

CEDAR GROVE RESERVOIR SITE

Mount Diablo Meridian, California

T. 13 S., R. 30 E.
 Sec. 9, E $\frac{1}{2}$
 Sec. 10, all
 Sec. 11, all
 Sec. 12, S $\frac{1}{2}$
 Sec. 13, all
 Sec. 14, N $\frac{1}{2}$ and SE $\frac{1}{4}$
 Sec. 15, N $\frac{1}{2}$
 Sec. 24, NE $\frac{1}{4}$
 T. 13 S., R. 31 E.
 Sec. 17, all
 Sec. 18, all
 Sec. 19, N $\frac{1}{2}$
 Sec. 20, N $\frac{1}{2}$

Respectfully,

JOHN C. PAGE,
 Commissioner.

I concur:

HARRY L. BROWN,
 Acting Secretary of Agriculture.

The foregoing recommendation is hereby approved and the Commissioner of the General Land Office will cause the records of his office and the local land office to be noted accordingly.

HARRY SLATTERY,
 Under Secretary of the Interior.

JANUARY 17, 1939.

[F. R. Doc. 39-403; Filed, February 3, 1939;
 10:37 a. m.]

COLUMBIA BASIN PROJECT, WASHINGTON

FIRST FORM WITHDRAWAL

DECEMBER 5, 1938.

THE SECRETARY OF THE INTERIOR.

SIR: In accordance with the authority vested in you by the Act of June 26, 1936 (49 Stat. 1976) it is recommended that the following described land be withdrawn from public entry under the first form withdrawal as provided in Section 3, Act of June 17, 1902 (32 Stat. 388).

COLUMBIA BASIN PROJECT, WASHINGTON

Willamette Meridian

T. 38 N., R. 37 E., Sec. 32, Lot 5

Respectfully,

JOHN C. PAGE,
 Commissioner.

The foregoing recommendation is hereby approved, as recommended, and the Commissioner of the General Land Office will cause the records of his office

and the local land office to be noted accordingly.

HARRY SLATTERY,

Under Secretary of the Interior.

JANUARY 13, 1939.

[F. R. Doc. 39-404; Filed, February 3, 1939;
 10:37 a. m.]

TITLE 47—TELECOMMUNICATION

FEDERAL COMMUNICATIONS COMMISSION

CHAPTER I. RULES OF PRACTICE AND PROCEDURE

PART 6. PETITIONS

The Commission amended the title of Part 6¹ to read:

PART 6. PETITIONS AND COMPLAINTS

The following new section was adopted under the foregoing Part:

SEC. 6.03 *Complaints.* Communications to the Commission complaining of anything done, or omitted to be done, in contravention of the provisions of the Act, except formal and informal complaints filed under Part 16 hereof, may, in the discretion of the Commission, be investigated or otherwise acted upon in any manner the Commission may deem expedient; but such communications shall not be deemed to be either formal or informal complaints within the meaning of these rules, irrespective of any action taken thereon by the Commission. (Sec. 4 (i), 48 Stat. 1066; 47 U. S. C. 154 (i)) [Adopted by the F. C. C. on January 30, 1939]

Necessary changes in the Table of Contents were made as follows:

Part 6, amended to read: "Part 6. Petitions and Complaints".

"Sec. 6.03 Complaints", was added.

PART 9. SERVICE OF DOCUMENTS; COPIES

The Commission amended Sec. 9.01¹ to read:

SEC. 9.01 *Service, proof of service.* All pleadings, petitions, motions, or other documents (other than applications under Title II, formal complaints, supplemental complaints, cross-complaints and amended complaints) filed in any proceeding shall be served by the party filing the same upon all parties of record, as follows:

Service upon common carriers shall be made as provided in Section 413 of the Communications Act of 1934, as amended.

In all other cases whenever under these rules service is required or permitted to be made upon a party, and such party is represented by an attorney of record in the proceeding, the service shall be made upon the attorney. Service upon the attorney or upon a party

¹ 3 F. R. 2831 DI

shall be made by delivering a copy to him or by mailing it to him at his last known address. Delivery of a copy within this rule means: handing it to the attorney or to the party; or leaving it at his office with his clerk or other person in charge thereof; or, if there is no one in charge, leaving it in a conspicuous place therein, or, if the office is closed or the person to be served has no office, leaving it at his dwelling house or usual place of abode with some person of suitable age and discretion then residing therein. Service by mail is complete upon mailing.

Proof of service as provided in the foregoing shall be made by appropriate affidavit describing the service which shall be attached to the original and copies of which shall be attached to all copies filed with the Commission. If service has been made by delivery of a copy to the attorney, written acknowledgment thereof on the original filed will be considered proof of service; in such case an appropriate notation of such acknowledgment shall be made on all copies filed. (Sec. 4 (i), 48 Stat. 1066; 47 U. S. C. 154 (i)) [Adopted by the F. C. C. November 28, 1938, effective January 1, 1939, as amended on January 30, 1939]

PART 15. SPECIAL PROVISIONS RELATING TO RADIO

The Commission amended the heading of Sec. 15.17¹ to read:

"Sec. 15.17 *Multiple applications; broadcast service.*"

PART 16. SPECIAL PROVISIONS RELATING TO COMMON CARRIERS

The Commission deleted the second paragraph of Sec. 16.02.²

By the Commission,

[SEAL]

T. J. SLOWIE,
 Secretary.

[F. R. Doc. 39-400; Filed, February 2, 1939;
 3:42 p. m.]

Notices

DEPARTMENT OF THE INTERIOR.

Division of Territories and Island Possessions.

[I. C. C. No. 253]

THE ALASKA RAILROAD

LOCAL PASSENGER TARIFF NO. 195-B⁴

Naming round trip excursion fares from stations on the Alaska Railroad in Alaska to Anchorage, Alaska, account Winter Sports Tournament and Fur Rendezvous, February 18 to 21, 1939. Is-

¹ 3 F. R. 2837 DI.² 3 F. R. 2838 DI.

⁴ No supplement will be issued to this tariff except for the purpose of cancelling the tariff.

sued under authority of Rule 52 Interstate Commerce Commission Tariff Circular No. 18-A. Issued, January 16, 1939. Effective, February 16, 1939. Authority: Act, March 12, 1914 and Executive Order No. 3861. Issued by O. F. Ohlson, General Manager, Anchorage, Alaska.

General Rules and Regulations

1. *Stations from and to which this tariff applies.*—This tariff applies from all Rail Line stations. This tariff applies only to Anchorage, Alaska. Conductor picking up passenger at non-agency station will handle passenger to first agency station where ticket must be secured from originating station to final destination.

2. *Dates of sale.*—February 16, 17, 18, 19, 20 and 21, 1939.

3. *Final return limit.*—February 27, 1939. Return trip to be completed prior to midnight of final limit.

4. *Stopovers.*—Stopovers will not be permitted in either direction.

5. *Tickets.*—Use Form L-14 Round Trip Excursion Tickets.

6. *Children.*—Tickets may be sold at one-half the fares named herein for children five years of age and under twelve years of age, sufficient to be added to make fare end in "0" or "5". Children under five years of age will be carried free when accompanied by parent or guardian.

7. *Baggage.*—No baggage will be checked on tickets sold under this tariff.

8. *Tickets non-transferable.*—All tickets sold at fares named herein are non-transferable and will be valid only for transportation of passenger for whom originally purchased. Passenger must sign the back of return portion of ticket.

9. *Fares.*—One first class fare for the round trip. First class fares are shown in Local Passenger Tariff No. 42-B, I. C. C. No. 177, supplements thereto and reissues thereof.

The above is hereby confirmed.

R. A. KLEINDIENST,
Administrative Officer.

JANUARY 30, 1939.

[F. R. Doc. 39-405; Filed, February 3, 1939; 10:38 a. m.]

DEPARTMENT OF AGRICULTURE.

Bureau of Animal Industry.

NOTICE

FEBRUARY 2, 1939.

To PASCO UNION STOCK YARDS COMPANY,
Pasco, Washington.

Whereas, the Pasco Union Stock Yards, Pasco, Washington, was posted on November 1, 1921, as a stockyard subject to the provisions of the Packers and Stockyards Act, 1921; and

Whereas, it now appears that the Pasco Union Stock Yards is not being oper-

ated as a stockyard within the meaning of that term as defined in said act;

Now, therefore, notice is hereby given that the Pasco Union Stock Yards, Pasco, Washington, no longer comes within the foregoing definition and the provisions of Title III of said act.

[SEAL]

H. A. WALLACE,
Secretary of Agriculture.

[F. R. Doc. 39-398; Filed, February 2, 1939; 3:37 p. m.]

NOTICE¹

FEBRUARY 2, 1939.

To F. C. PARKER AND F. C. PARKER, JR.,
Doing business as Statesboro Livestock Commission Company, Statesboro, Ga.

Notice is hereby given that after inquiry, as provided by Section 302 (b) of the Packers and Stockyards Act, 1921 (7 U. S. C. Sec. 202 (b)), it has been ascertained by me as Secretary of Agriculture of the United States that the stockyard known as Statesboro Livestock Commission Company, at Statesboro, State of Georgia, is subject to the provisions of said Act.

The attention of stockyard owners, market agencies, dealers, and other persons concerned is directed to Sections 303 and 306 (7 U. S. C. Secs. 203 and 207) and other pertinent provisions of said Act and the rules and regulations issued thereunder by the Secretary of Agriculture.

[SEAL]

H. A. WALLACE,
Secretary of Agriculture.

[F. R. Doc. 39-397; Filed, February 2, 1939; 3:37 p. m.]

Sugar Division.

1939 SUGAR QUOTA FOR DOMESTIC BEET SUGAR AREA

NOTICE OF HEARING AND DESIGNATION OF PRESIDING OFFICERS

Pursuant to the authority contained in Section 205 (a) of the Sugar Act of 1937 (Public No. 414, 75th Congress), and on the basis of the information now before me, I, H. A. Wallace, Secretary of Agriculture, do hereby find that the allotment of the 1939 sugar quota for the domestic beet sugar area is necessary to prevent disorderly marketing of such sugar and to afford all interested persons an equitable opportunity to market such sugar in the continental United States, and hereby give notice that a public hearing will be held at Chicago, Illinois, in Room 425 of the Main Post Office Building, on February 21, 1939, at 10 a. m.

The purpose of such hearing is to receive evidence to enable the Secretary of Agriculture to make a fair, efficient and equitable distribution of the 1939 sugar quota for the domestic beet sugar

¹ Modifies list posted stockyards 9 CFR 204.1.

area among persons who market such sugar in the continental United States.

John C. Bagwell and Walter G. Green are hereby designated as presiding officers to conduct either jointly or severally the foregoing hearing.

Done at Washington, D. C., this 2d day of February 1939. Witness my hand and the seal of the Department of Agriculture.

[SEAL]

H. A. WALLACE,
Secretary of Agriculture.

[F. R. Doc. 39-399; Filed, February 2, 1939; 3:37 p. m.]

DEPARTMENT OF LABOR.

Wage and Hour Division.

[Administrative Order No. 15]

APPOINTMENT OF INDUSTRY COMMITTEE No. 3

1. By virtue of and pursuant to the authority vested in me by the Fair Labor Standards Act of 1938, I, Elmer F. Andrews, Administrator of the Wage and Hour Division, U. S. Department of Labor, do hereby appoint for the hosiery industry (as such industry is defined in paragraph 2) an industry committee composed of the following representatives:

For the Public:

George W. Taylor, Chairman, Philadelphia, Pa.
Rosamond C. Cook, Cincinnati, Ohio
John C. Evans, Reading, Pa.
Stanley B. Hunt, New York, N. Y.
Capus Waynick, High Point, N. C.

For the Employees:

Alfred Hoffmann, Philadelphia, Pa.
William M. Leader, Philadelphia, Pa.
Thomas Lehmann, Milwaukee, Wis.
Emil Rieve, Philadelphia, Pa.
W. Cedric Stallings, Durham, N. C.

For the Employers:

John M. Berry, Rome, Georgia
J. B. Glasner, Rockford, Ill.
R. O. Huffman, Drexel, N. C.
John Wyckoff Mettler, New Brunswick, N. J.
William Meyer, Philadelphia, Pa.

Such representatives having been appointed with due regard to the geographical regions in which such industry is carried on.

2. As used in this order, the term "hosiery industry" means:

The manufacturing or processing of hosiery including, among other processes, the knitting, dyeing, clocking, and all phases of finishing of hosiery, but not including the manufacturing or processing of yarn or thread.

3. The industry committee herein created, in accordance with the provisions of the Fair Labor Standards Act of 1938 and rules and regulations promulgated thereunder, shall investigate conditions in the industry and recommend to the Administrator minimum

wage rates for all employees thereof who within the meaning of said act are "engaged in commerce or in the production of goods for commerce", excepting employees exempted by virtue of the provisions of Section 13 (a) and employees coming under the provisions of Section 14.

Signed at Washington, D. C., this first day of February, 1939.

ELMER F. ANDREWS,
Administrator.

[F. R. Doc. 39-406; Filed, February 3, 1939;
12:10 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 2nd day of February, A. D. 1939.

[File No. 31-210]

IN THE MATTER OF THE APPLICATION OF THE PEOPLES NATURAL GAS COMPANY AND THE COLUMBIA NATURAL GAS COMPANY

ORDER CONSENTING TO WITHDRAWAL UNDER PUBLIC UTILITY HOLDING COMPANY ACT OF 1935 PURSUANT TO REQUEST OF APPLICANT

Upon the request of the applicants, the Commission consents to the withdrawal of the application of the above-named applicants, and to that effect

It is so ordered.

By the Commission.

[SEAL] FRANCIS P. BRASSOR,
Secretary.

[F. R. Doc. 39-409; Filed, February 3, 1939;
11:14 a. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 3rd day of February, A. D. 1939.

[File No. 32-129]

IN THE MATTER OF CENTRAL INDIANA POWER COMPANY

NOTICE OF AND ORDER FOR HEARING

An application pursuant to section 6 (b) of the Public Utility Holding Company Act of 1935, having been duly filed with this Commission by the above-named party;

It is ordered, That a hearing on such matter be held on February 21, 1939, at 10:30 o'clock in the forenoon of that day, at the Securities and Exchange Building, 1778 Pennsylvania Avenue, NW., Washington, D. C. On such day the hearing-room clerk in room 1102 will advise as to the room where such hearing will be held. At such hearing if in

respect of any declaration, cause shall be shown why such declaration shall become effective.

It is further ordered, That Charles S. Lobingier or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearings in such matter. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said Act and to a trial examiner under the Commission's Rules of Practice to continue or postpone said hearing from time to time.

Notice of such hearing is hereby given to such declarant or applicant and to any other person whose participation in such proceeding may be in the public interest or for the protection of investors or consumers. It is requested that any person desiring to be heard or to be admitted as a party to such proceeding shall file a notice to that effect with the Commission on or before February 14, 1939.

The matter concerned herewith is in regard to an application by Central Indiana Power Company, a subsidiary of the Surviving Trustee of the Estate of Midland United Company, a registered holding company, pursuant to Section 6 (b) of the Public Utility Holding Company Act of 1935 for exemption from the provisions of Section 6 (a) of the issue and sale to Rural Electrification Administration of its Collateral Notes in the aggregate principal amount of not exceeding \$430,000, bearing interest at the rate of 2.73% per annum on the unpaid balances existing from time to time. The Collateral Notes are to be secured by the pledge of applicant's First Mortgage Collateral and Refunding Gold Bonds, "Series A," dated July 1, 1922, in amounts having market values (as determined by the Administrator of the Rural Electrification Administration) equal to approximately 1.25 times the principal amount of the Collateral Note secured thereby, and will each be payable over a period not exceeding twenty years from the date thereof, the first installment on each note to be payable one year from the date thereof and the remaining installments on each semi-annual interest payment date to maturity. The application states that the issuance of the Collateral Notes and of the bonds to be pledged thereunder will be expressly authorized by the Public Service Commission for the State of Indiana, and that the proceeds of the notes will be used to pay the cost of the construction of such systems and facilities as will be necessary in order to render electric utility service in certain rural areas adjacent to territory now served by Northern Indiana Power Company, a subsidiary of the applicant.

By the Commission.

[SEAL] FRANCIS P. BRASSOR,
Secretary.

[F. R. Doc. 39-408; Filed, February 3, 1939;
11:14 a. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 3rd day of February, A. D. 1939.

[File No. 43-181]

IN THE MATTER OF GULF STATES UTILITIES COMPANY

NOTICE OF AND ORDER FOR HEARING

A declaration pursuant to section 7 of the Public Utility Holding Company Act of 1935, having been duly filed with this Commission by the above-named party;

It is ordered, That a hearing on such matter be held on February 13, 1939, at ten o'clock in the forenoon of that day, at the Securities and Exchange Building, 1778 Pennsylvania Avenue, NW., Washington, D. C. On such day the hearing-room clerk in room 1102 will advise as to the room where such hearing will be held. At such hearing, if in respect of any declaration, cause shall be shown why such declaration shall become effective.

It is further ordered, That Robert P. Reeder or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearings in such matter. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said Act and to a trial examiner under the Commission's Rules of Practice to continue or postpone said hearing from time to time.

Notice of such hearing is hereby given to such declarant or applicant and to any other person whose participation in such proceeding may be in the public interest or for the protection of investors or consumers. It is requested that any person desiring to be heard or to be admitted as a party to such proceeding shall file a notice to that effect with the Commission on or before February 12, 1939.

The matter concerned herewith is in regard to the issue by Gulf States Utilities Company, a subsidiary company of Engineers Public Service Company, a registered holding company, of an unsecured note of the declarant in the principal amount of \$4,000,000 payable to The Chase National Bank of the City of New York as follows: \$300,000 on November 15, 1939, a like amount on July 15 and November 15 of each year thereafter to and including July 15, 1945 and \$400,000 on October 1, 1945, together with, on each such payment dates, interest on the principal amount then being paid and then remaining unpaid at the rate of 3% per annum, such interest to begin to run from the date of said note.

By the Commission.

[SEAL] FRANCIS P. BRASSOR,
Secretary.

[F. R. Doc. 39-407; Filed, February 3, 1939;
11:14 a. m.]